

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

RIVERKEEPER, INC.  
Plaintiff,

v.

ALL ABOUT RECYCLING, INC; GENTILE  
CONSTRUCTION CORP.; ALL COUNTY MOBILE  
CONCRETE, INC.; JOSEPH GENTILE, JR.; and JOHN  
BERNAL, JR.,  
Defendants.

Case No. 7:22-CV-6607

**MOTION FOR STAY AND NOTICE OF LODGING OF CONSENT DECREE  
AS TO DEFENDANTS ALL ABOUT RECYCLING, INC.; GENTILE CONSTRUCTION  
CORP.; and JOSEPH GENTILE, JR.**

Plaintiff Riverkeeper, Inc. (“Riverkeeper”), with the consent of Defendants All About Recycling, Inc., Gentile Construction Corp., and Joseph Gentile, Jr. (together, the “Gentile Defendants”), respectfully moves the Court to stay all future deadlines in this matter as to the Gentile Defendants. Plaintiff hereby provides notice to the Court that Riverkeeper and the Gentile Defendants have agreed to a settlement of this case. Pursuant to the federal Clean Water Act, the United States Department of Justice (“DOJ”) and the Environmental Protection Agency (“EPA”) must have a period of 45 days in which to review and provide any comments on the proposed settlement. 33 U.S.C. § 1365(c)(3); 40 C.F.R. § 135.5(b). Plaintiff has lodged a copy of the proposed Consent Decree with DOJ and EPA as required by the statute. Following the 45-day review period, the Parties will move the Court to enter the Consent Decree.

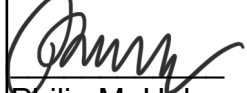
Respectfully submitted this 9th day of June, 2023.

/s/ Julia Muench  
Julia Muench

Application granted in part. The Gentile Defendants' time to answer or move with respect to the Complaint in accordance with the Court's Individual Practices is extended to July 28, 2023. The parties shall also file a joint status report with respect to settlement by that date.

The Clerk of Court is respectfully requested to terminate the motion sequence pending at Doc. 26.

SO ORDERED.



Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
June 12, 2023

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